

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LAURA MARY NASTASE, )  
                        )  
                        )  
Plaintiff,             ) CASE NO. C09-1015-RSM-BAT  
                        )  
                        )  
v.                     )  
                        )  
                        )  
FEDERAL WAY MUNICIPAL COURT, et al., ) REPORT AND  
                        )  
                        )  
Defendants.             )  
                        )

Plaintiff Laura Mary Nastase, who is currently incarcerated at the King County Regional Justice Center, is proceeding *pro se* and *in forma pauperis* in this action brought under 42 U.S.C. § 1983. After initially reviewing plaintiff's complaint, the Court issued an order dated July 23, 2009, declining to serve the complaint because of the following deficiencies: (1) plaintiff failed to identify the constitutional or federal statutory rights she alleges were violated, (2) plaintiff failed to identify how each defendant caused or personally participated in causing the harm alleged in the complaint, (3) plaintiff failed to identify a municipal custom or policy that caused the harm alleged in the complaint, and (4) plaintiff named defendants who appear to be immune to suit for damages under § 1983. Dkt. 7. The Court granted petitioner leave to file an amended complaint correcting the deficiencies, but advised plaintiff that failure to file an amended complaint within 30 days of the order declining to serve would subject her case to dismissal.

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1 Petitioner has not filed an amended complaint. Instead, she submitted a letter to the Clerk  
2 dated August 5, 2009, stating that she wished to close this case and file a new complaint concerning  
3 a different matter. Dkt. 8; *see also* Nastase v. Sanders, Case No. 09-1138-RAJ-BAT.

4 For the reasons outlined in the Court's previous order, and in light of the fact that petitioner  
5 has failed to cure the stated deficiencies and has stated that she wishes to close this case, the Court  
6 recommends that plaintiff's complaint and this case be DISMISSED without prejudice. A proposed  
7 order accompanies this Report and Recommendation.

8 DATED this 27th day of August, 2009.

9  
10 s/ BRIAN A. TSUCHIDA  
United States Magistrate Judge